

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
EMMAGERALD SMITH, :

Plaintiff, :

-v- :

KIKOLO KIJAKAZI, *Acting Commissioner of the Social Security Administration*, :

Defendant. :

23 Civ. 2339 (JPC)

ORDER

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JOHN P. CRONAN, United States District Judge:

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before Magistrate Judge James L. Cott.

If both parties consent to proceed before Judge Cott, counsel for the defendant must, within two weeks of the date of this Order, submit to the Orders & Judgments Clerk at judgments@nysd.uscourts.gov a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to this Order (and also available at <https://www.nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>). If the Court approves that form, all further proceedings will then be conducted before Judge Cott rather than before the undersigned. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the consent form were not signed and so ordered.


If either party does not consent to conducting all further proceedings before Judge Cott, the parties must file a joint letter, within two weeks of this Order, advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. At

that time, the Court will then refer this case to Judge Cott for a report and recommendation on any motion for judgment on the pleadings. All deadlines presently scheduled are adjourned *sine die*; at an appropriate future time, the parties shall direct their request for a new briefing schedule, *see* Dkt. 7, to Judge Cott. The Clerk of Court is respectfully directed to terminate the motion pending at Docket Number 7.

The parties are free to withhold consent to conducting all further proceedings before Judge Cott without negative consequences.

SO ORDERED.

Dated: May 19, 2023  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge